

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

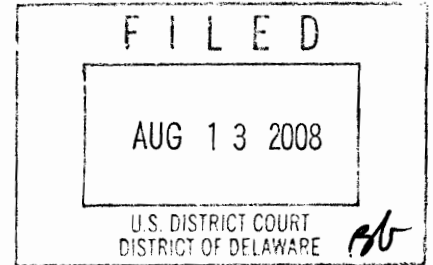
THOMAS R. MILLER
Plaintiff,

Civ. No. 06-349-GMS

v.

DR. MAGGIE BAILEY AND
FIRST CORRECTIONAL -
MEDICAL INC.

Defendants.



RULE 35 PHYSICAL AND MENTAL EXAMINATIONS
OF PERSONS

- (1) Plaintiff Thomas R. Miller respectfully requested motioned the Court to appoint an Expert witness to this case dated February 4, 2008. UNDER Title 10 5836 OF the Delaware Code.
- (2) In early March 2008 Plaintiff was taken to an outside doctor pertaining to his present condition, to be scheduled at a later date, for acid reflux disease.
- (3) Early on May 2, 2008 plaintiff was taken, transported to Southern Delaware Surgery Center for an biopsy camera put in your esophagus, for diagnose and treatment, in which afterwards Dr. Carrusso explained to plaintiff, that he found a red area, meaning your esophagus was erosion behind having acid reflux disease and complications.
- (4) Dr. Carrusso also added more medication dailey, plaintiff is presently on Four (4) different medications for acid reflux disease.

b) Report of Examiner

- (4) If requested by the party against whom an order is made under Rule 35(a) or the person examined, the party causing the examination to be made shall deliver to the requesting party a copy of the detailed written report of the examiner setting out the examiner's findings, including results of all test made, diagnoses and conclusions, together with like reports of all earlier examinations of the same condition.
- (5) Plaintiff respectfully request this Honorable Court to grant him the report of examiner, for Court purposes and preparation.

DATED: August 11 2008

Sincerely
Respectfully Submitted,
Thomas R. Miller
THOMAS R. MILLER
JAMES T. VAUGHN
CORRECTIONAL CENTER
SMYRNA LANDING RD
SMYRNA DE 19977